North Central Regional Transit District (NCRTD)

Resolution 2015-08

A RESOLUTION ADOPTING THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT'S TITLE VI PROGRAM WHICH PROHIBITS DISCRIMINATION ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN IN FEDERALLY FUNDED PROGRAMS AND ACTIVITIES.

WHEREAS, the North Central Regional Transit District (NCRTD) is a subrecipient of Federal funds from the Federal Transit Administration (FTA) that pass through the New Mexico Department of Transportation (NMDOT) and;

WHEREAS, the NCRTD, as a subrecipient through NMDOT of Federal funding, is mandated by FTA C4702.1A to adopt Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in the Department's Order on Environmental Justice (Order 5610.2), and Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005).

NOW, THEREFORE, BE IT RESOLVED that the North Central Regional Transit District Board of Directors hereby adopts the Title VI policy for subrecipients (through the State), of Federal funding as shown in Exhibit "A" attached hereto and made part of this resolution.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 6TH DAY OF MARCH 2015.

Daniel Barrone, Chair

Approved as to form:

Peter Dwyer, Counsel

Title VI Program

Adopted March 6, 2015

Table of Contents

NOTICE TO THE PUBLIC 1
COMPLAINT INSTRUCTIONS AND FORM 2
TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS 2
PUBLIC PARTICIPATION 2
LIMITED ENGLISH PROFICIENCY (LEP) 4
PLANNING AND ADVISORY BOARDS 8
SUBRECIPIENTS 9
FACILITY LOCATION EQUITY ANALYSIS 9
FIXED-ROUTE SYSTEMWIDE SERVICE STANDARDS 9
FIXED-ROUTE SYSTEMWIDE POLICIES 11

TITLE VI PROGRAM QUESTIONNAIRE

The Federal Transit Administration (FTA) requires all recipients of FTA assistance to develop a Title VI program. This is a new requirement. In the past, NMDOT's program covered the State and its grantees. Now, each grantee must have its own program. To help you develop a Title VI program, NMDOT has developed this questionnaire, which will, once reviewed and accepted by NMDOT, become your Title VI program. Once accepted by NMDOT, you will be required to submit the completed questionnaire to your Board or council for approval and then provide evidence of the approval to NMDOT.

NOTICE TO THE PUBLIC

FTA requires that each grantee notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI program. The notice must include:

- *A statement that the agency operates programs without regard to race, color, and national origin*
- *A description of the procedures that members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations*
- *A description of the procedures that members of the public should follow in order to file a discrimination complaint against the grantee*

The notice can be a separate document, such as a posted sign, a statement that is in another document, or a stand-alone document, such as a Title VI brochure.

Attachment A presents two notices developed by NMDOT, a longer "stand-alone" statement and a shorter statement that can be included in another document, such as a bus schedule or as a placard in the bus. You can use these notices or develop your own. If you develop your own, it must include the three items discussed above.

At a minimum, a grantee must post a Title VI notice on its website and in the reception area and public meeting spaces of its offices. FTA recommends that you place the notice in other locations, such as on buses, on schedules or other printed materials, and at stations.

We recommend that you post the longer notice on your website and in your office where required in an inexpensive frame.

1. Are you using either of NMDOT's notice(s)? Which one(s)? If no, please provide a copy of your Title VI notice(s). Yes; long notice in Office lobby and Board room. See attached for NCRTD website notice and for short notice on bus schedules.

2. Where are the notices posted? Office lobby, Board room, website, public bus schedules.

3. At a minimum, have you posted a Title VI notice on your website, in the reception area of your office, and in the public meeting spaces of your office? Yes

COMPLAINT INSTRUCTIONS AND FORM

FTA requires each grantee to have instructions for the public to follow and a form for the public to use for filing a Title VI complaint. Attachment B presents a form and instructions for filing a Title VI complaint developed by NMDOT. You can use the NMDOT form and instructions or use your own.

4. Have you adopted the NMDOT-developed form and instructions for filing a Title VI complaint? If no, please attach a copy of the form and instructions that you use. Yes

TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS

FTA requires that the Title VI program include a list of transit-related Title VI complaints, investigations, and lawsuits. NMDOT obtains this information with grant applications. Please note that EEO and ADA complaints are not Title VI complaints so do not list them. If you are part of a city, county, or human service agency, only list Title VI complaints, investigations, or lawsuits related to transit service.

5. Since submitting your last grant application to NMDOT, have you had any Title VI complaints, investigations, or lawsuits related to your transit program? If yes, please complete the following table. No

Type	Date	Summary	Status	Action(s) Taken
Complaints				
Investigations				
Lawsuits				

PUBLIC PARTICIPATION ELEMENT

FTA requires that the Title VI program include a public participation plan that includes an outreach plan to engage minority and limited English proficient (LEP) populations. The plan may include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others. Applicants to NMDOT for FTA assistance are required to comply with several

requirements that help meet this Title VI requirement. These requirements include the published notice of intent to apply to NMDOT for FTA assistance and participation in the public transit-human services transportation coordinated plan development. Other public participation methods include open Board/ council meetings, council meetings of cities and counties that provide local funding, transit/client advisory committees, public involvement efforts for transit development plans (TDPs), passenger surveys, marketing efforts, such as booths at fairs, and presentations to service and other organizations.

6. Are Board/council meetings open to the public? Yes

7. How do you publicize the dates, times, and locations of Board/council meetings? Website- Board meetings are held the first Friday of every month at 900am. In addition, the county clerks in each of the four member counties post the Board meetings on their public notice boards and some of the on their websites as well.

8. Where are Board/council meetings held? 1327 North Riverside Drive, Espanola, NM 87532

9. Is the location accessible to persons with disabilities? Yes

10. Is the location served by transit during the hours Board/council meetings are held? If yes, please describe. If not, do you offer transportation to the meetings upon request? Yes; the Riverside route stops in front of the building and operates on 30 minute headways.

11. What other efforts do you undertake to ensure that transit riders or clients can attend Board/council meetings? Email outreach to mailing list, Board members notify their constituents.

12. Do you rely on any counties or cities for funding? If yes, please describe how interested parties can comment on your budget and services at city and town council meetings. The NCRTD and Los Alamos County have an arrangement where the County contributes a set dollar amount toward regional transit. This agreement is revisited periodically, and the funding amount is not guaranteed. Los Alamos County constituents can either attend NCRTD Board meetings, request a meeting with NCRTD management, or speak with the Los Alamos representative on the NCRTD Board. In addition, a public hearing is held by the NCRTD Board on the proposed annual budget, so that interested parties may comment on the draft budget.

13. Discuss any other outreach efforts, including transit advisory committees, procedures for soliciting comments for fare increases and service changes, passenger surveys, public involvement for transit development plans, presentations, etc. The NCRTD is involved with the area MPO and RPO, and presents service changes to; drivers routinely engage riders for feedback; community outreach meetings are held when significant changes such as a service plan update or fare change are planned to occur; passenger surveys are utilized to garner feedback; the website allows for the public to contact us and provide comments, Staff meets with stakeholders to discuss needs.

LIMITED ENGLISH PROFICIENCY (LEP) ELEMENT

FTA requires that the Title VI program include a plan for providing language assistance to LEP persons. An LEP person is someone who speaks English less than very well. To document what languages are spoken by LEP persons and to help determine what language assistance efforts you should undertake, FTA requires that you analyze the following four factors:

- *the number and proportion of LEP persons served or encountered in your service area*
- *the frequency with which LEP individuals come into contact with your transit service*
- *the nature and importance of your transit service*
- *the language assistance resources potentially available to assist LEP persons*

By completing this questionnaire, you will have completed the required four-factor analysis.

The primary source data on LEP populations is the U.S. Census. We have provided a table for you to fill with Census data. To look up the 2010 Census data:

- *Go to US Census Fact Finder*
- *Search each county or city in your service area*
- *Select American Community Survey "Education, Marital Status, Relationships, Fertility,....."*

- *Scroll down to "language spoken at home"*

Please add columns, if needed.

Table 1 2010 Census Numbers for LEP Persons Residing within the Service Area						
Population 5 Years and Over by Language Spoken at Home and Ability to Speak English	**Rio Arriba County**	**Taos County**	**Santa Fe County**	**Los Alamos County**	**Total**	**Percentage of Population 5 Years and Older**
Population 5 Years and Over	37,431	31,009	136,135	17,055	221,630	
Speak English less than "very well"	2529	1849	15,728	523	20,629	9.3
Spanish	20,232	11,680	43,824	907	76,643	34.6
Speak English less than "very well"	2453	1637	14,906	228	19,224	8.7
Other Indo-European	204	200	2300	868	3572	1.6
Speak English less than "very well"	0	9	341	57	407	0.2
Asian and Pacific Island	104	193	888	655	1840	0.8
Speak English less than "very well"	0	129	281	238	648	0.3
All Other	2680	1253	1774	3	5710	2.6
Speak English less than "very well"	76	74	200	0	350	0.2

Survey your staff, including bus drivers, reservationists/dispatchers, customer service agents, and office personnel, to determine the frequency of contact with LEP persons, what languages are spoken by these persons, and the foreign languages they speak and/or understand. Attachment C presents a sample survey form. After conducting the survey, please complete the following table. If you are a 5310 provider and conducting the survey and completing the table does not make sense for you, please discuss the frequency of contact with LEP persons and the languages spoken by these persons in the space provided below.

Table 2 Frequency of Contact with LEP Persons	
Frequency	**Language Spoken by LEP Persons**
Daily- 3	Spanish- 95%
Weekly- 8	Native Tribal Languages- 5%
Monthly- 5	
Less frequently than monthly- 1	

14. If you have not completed Table 2, discuss the frequency of contact with LEP persons and the languages spoken by these persons. (5310 only) 17 Staff were surveyed; approximately 50% of respondents stated that they encounter a non-English speaking person on a weekly basis, 20% on a daily basis, and 30% on a monthly basis.

15. Provide a description of your service (type, days and hours) and list the major activity centers served (communities, employers, Rail Runner stations, park and ride lots, government and human service agencies, medical facilities, shopping centers, and recreational facilities). This information can be found in your most recent grant application. The NCRTD is a flex-route and demand- response service that operates Monday- Friday from 0530-1900. We serve the 10,000 square mile area of Los Alamos, Rio Arriba, Santa Fe and Taos Counties and work regionally with Atomic City Transit, NM Park & Ride, NM Rail Runner, Santa Fe Trails, Santa Fe Pick up, Chile Line, Red River Transit and Popay Messenger Service. Specific locations served: Edgewood, Moriarty, Eldorado, NM Rail Runner Stations (from 599 north), multiple Santa Fe government offices, Santa Fe County Courts, Santa Fe Indian School, Indian Health Services, Cities of Gold Park & Ride, Espanola Park & Ride, Ohkay Owingeh Resort and Casino, Rio Arriba County Courts, Taos County Courts, Holy Cross Hospital, Presbyterian Hospital, multiple CYFD locations, multiple community schools, multiple Walmarts and shopping centers, Sipapu Ski and Summer Resort. Additionally, the Taos Express route is operated on the weekends from Taos to Santa Fe, from approximately 0900- 1230 and again from 1630-2015.

16. Discuss trip purpose from passenger surveys or transit development plans, if conducted. Essential services such as medical, court/municipal business, grocery shopping, education, employment. Recreational activity such as sight-seeing, visiting friends, shopping.

17. Does staff speak foreign languages? If so, what languages? Do you use staff to translate? Yes, the majority of Staff understands basic Spanish, with approximately half considering themselves fluent and capable of speaking Spanish. Staff currently translates English to Spanish and vice versa on a regular basis.

18. Have you translated documents into Spanish or another language? If yes, please list the documents and the languages they are translated into. Not at this time; in the future, schedules and vital documents will be made available in Spanish.

19. Do you use Google Translate for your web site? If yes, what languages? Yes, we utilize Google Translate (translates over 85 languages).

20. What other language assistance efforts are you undertaking? None at this time. In the future, it is planned to update our schedules to include Spanish and English. The website includes Google Translate to facilitate comprehension for LEP individuals.

21. Have you made arrangements with other organizations to provide language assistance efforts? If yes, what organizations and what services? No

22. How are LEP persons notified of language assistance services? A bilingual Staff member will communicate the availability of language translation or interpretation upon request by the individual. In the future, the website will include a link to a translation app or program.

23. Discuss outreach programs, such as travel training, school presentations, and community presentations and if these efforts potentially reach LEP persons. Tied in with our ongoing service plan update, community outreach meetings and Board meetings have resulted in significant public feedback.

24. Describe how language assistance efforts are monitored, evaluated, and updated. Periodically, the Title VI Coordinator reviews the demographics of the NCRTD service area and its riders; dispatchers are queried as to their day-to-day communication experiences. Upon assessment, the Title VI Coordinator will update accordingly to maintain compliance.

25. Describe how employees are trained in language assistance efforts. The majority of NCRTD Staff understand both English and Spanish, with about 50% stating they are fluent and capable speakers of Spanish (as well as English). Given this, language assistance efforts have not been necessary thus far.

26. Please provide an estimate of what language assistance efforts cost you annually. Currently, $0; there are multiple free apps and programs that can be utilized to translate and interpret.

PLANNING AND ADVISORY BOARDS

FTA requires that the Title VI program present the racial make-up of all transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, and a description of the efforts to encourage the participation of minorities on such committees.

27. List all of your transit-related advisory boards and committees and the purpose of each. NCRTD Board of Directors- consists of 13 member entities including City of Santa Fe, Santa Fe County, Taos County, Tesuque Pueblo, Santa Clara Pueblo, San Ildefonso Pueblo, Rio Arriba County, City of Espanola, Pojoaque Pueblo, Nambe Pueblo, Los Alamos County, Ohkay Owingeh Pueblo, Town of Edgewood. The Board exercises and performs all powers, privileges, and duties vested in or imposed upon the District as well as direct Staff. Finance Subcommittee- To provide Staff direction and oversee financial practices and ensure transparency. Asset Disposal Committee- To provide direction and ensure transparency in asset disposal. Tribal Subcommittee- To ensure Tribal needs are being served, provide an opportunity to discuss any special circumstances related to providing transit service to and within the Pueblos, and to ensure cultural sensitivities are respected and maintained.
28. How are members selected? Board of Directors: A Director shall be an elected official or official designee, Tribal Governor or Tribal Council Member. The Director and official designee (if any) shall be nominated by the chief elected official of the Member and approved by the governing body of the Member. The Director shall hold such office until removed by the appointing Member, or until the Director no longer holds elective office in the governing body of the appointing Member, or until the Director submits a written resignation to the Chairman. Directors shall not serve a term longer than 4 years unless re-appointed by their Member governing body. Subcommittee Members: The Board appoints Committees to advise the Board. The members of these Committees may include Directors, official designees, and Officers of the District as well as individuals not members of the Board. When an Advisory Committee is formed, the Chair may appoint a regular member as its chair, or may direct the Committee to elect a chair at its first meeting, or direct the Committee to elect a chair at any time the chair of the Committee becomes vacant.

29. What is the racial makeup of each board and committee? NCRTD Board of Directors- 13 Members: 5 Hispanic, 4 Caucasian, 3 Native American (1 Member did not respond); Finance Subcommittee- 5 Members: 1 Native American, 3 Hispanic, 1 Caucasian; Asset Disposal Committee- 5 Members: 3 Hispanic, 2 Caucasian; Tribal Subcommittee- 6 Members: 3 Native American, 1 Hispanic, 1 Caucasian (1 Member did not respond).

30. What efforts are undertaken to encourage participation of minorities on these committees? The NCRTD Board of Directors consists of a diverse cross-section of representatives from Member entities. Given the racial and ethnic diversity exhibited by our Board, resulting NCRTD

subcommittees inherently reflect this as well; no encouragement is required to solicit non-Caucasian Member participation.

SUBRECIPIENTS

FTA requires your Title VI program to include procedures for monitoring subrecipients for compliance with Title VI.

31. Do you provide any FTA funds to any other transit-related agency? If yes, this is a subrecipient. Please list them. How do you monitor them for compliance with Title VI? No

FACILITY LOCATION EQUITY ANALYSIS

FTA requires your Title VI program to include procedures for ensuring an equity analysis of facility locations is conducted during the planning for a construction of a new facility. The Transit and Rail Division ensures compliance with this requirement when providing FTA funding for a new facility.

FIXED-ROUTE SYSTEMWIDE SERVICE STANDARDS

The following questions only apply to operators of fixed-route service. Agencies that only provide demand-response service can stop here. Please note that all 5310-provided service and route deviation service are considered demand-response service for the purposes of Title VI.

FTA requires operators of fixed-route service to set systemwide service standards for each fixed-route mode of service provided and include the standards in the Title VI program. The service standards must address vehicle loads, headways, on-time performance, and service availability.

32. What types of fixed-route bus service do you provide (local, express, commuter)? N/A

Vehicle Load Standards

33. Have you adopted vehicle load standards? If yes, what are they? N/A

34. Do you allow standees on buses for each type of service provided? If no, please explain. N/A

35. Do you allow standees on buses for at all times of the day (peak and off-peak)?

N/A

36. Have you adopted the manufacturers' capacity standards for seated and standing passengers?

N/A

37. Do you regularly have standees on buses? If yes, do you have plans to increase the amount of service to reduce the number of standees?

N/A

Vehicle Headway Standards

38. Have you adopted vehicle headway standards? If yes, what are they?

N/A

39. What are your headways for each type of fixed-route service?

N/A

40. Are the headways the same for peak and off-peak hours? If no, discuss the differences.

N/A

41. What are the headways for evening service?

N/A

42. What are the headways for Saturday and Sunday service?

N/A

43. How did you set the headways?

N/A

On-time Performance Standards

44. What are your on-time performance standard(s)?

N/A

45. Have you set a systemwide goal for on-time performance? If yes, what is the goal?

N/A

46. Do you have problems with on-time performance?

N/A

Service Availability Standards

47. What criteria did you use to decide where to locate local fixed-route service?

N/A

48. Do you provide general public demand responsive service in areas service by fixed routes? If no, how far from the fixed-routes do you provide general public demand-response service?

N/A

49. Discuss spacing of bus stops, if used.

N/A

50. Discuss your policy regarding activity centers served (employers, shopping centers, hospitals, clinics, senior housing centers, Rail Runner stations, city halls, etc.)

FIXED-ROUTE SYSTEMWIDE POLICIES

FTA requires operators of fixed-route service to set systemwide policies for each fixed-route mode of service provided and include the policies in the Title VI program. The policies must address distribution of service amenities, such as passenger shelters, and the assignment of buses to garages and routes.

51. Describe your passenger amenities, such as passenger shelters, benches, and waste receptacles. How many of each do you have and where are they located?

N/A

52. How do you determine where to place each type of passenger amenity?

N/A

53. How do you distribute route and schedule information?

N/A

54. What kind of route and schedule information, if any, do you provide at bus stops?

N/A

55. Discuss implementation or plans for electronic/passenger information for bus departures and arrivals, if any.

N/A

56. Discuss how many bus garages/storage locations you have, how buses are allocated to the different locations? If you have only one location, respond "N/A"?

N/A

57. How do you assign buses to routes?

N/A

Attachment A

Title VI Notice to the Public

Long Notice- English

The North Central Regional Transit District (NCRTD) operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the 1964 Civil Rights Act. Any person who believes that she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with our agency.

For more information on the NCRTD's civil rights program, and the procedures to file a complaint, please call phone #505.629.4713, email: anthonym@ncrtd.org; or visit our administrative offices at 1327 North Riverside Drive, Española, NM 87532. For more information, visit www.ncrtd.org.

A complainant may file a complaint directly with the Federal Transit Administration (FTA), Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590. Phone #: 202.366.4043.

For more information on the New Mexico Department of Transportation's civil rights program, and the procedures to file a complaint, please call phone #1.800.554.0936 or 505.827.1774, email: damian.segura@state.nm.us; or visit our administrative offices at 1596 Pacheco St., Santa Fe, NM 87505. For more information, visit www.dot.state.nm.us.

If this information is needed in another language, please contact the NCRTD at #505.629.4713.

Attachment A

Title VI Notice to the Public

Long Notice- Spanish

El North Central Regional Transit District ofrece programas y servicios, sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Cualquier persona que cree que el o ella ha sido perjudicada por una práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja con la agencia.

Para obtener más información sobre el programa de derechos civiles del North Central Regional Transit District o para obtener más información sobre los procedimientos para presentar una queja, llame al #505.629.4713; o email el Director Ejectivo: anthonym@ncrtd.org; o visite nuestras oficinas administrativas en 1327 North Riverside Drive, Española, NM 87532. Para obtener más información, visite www.ncrtd.org.

Un demandante puede presentar una queja directamente a la Administración Federal de Tránsito (FTA), Oficina de Derechos Civiles, Atención: Coordinador del Programa de Título VI, East Building, 5th Floor TCR, 1200 New Jersey Ave, SE, Washington. , DC 20590. Teléfono#: 202.366.4043.

Para obtener más información sobre el programa de derechos civiles del Departamento de Transporte de Nuevo México o para obtener más información sobre los procedimientos para presentar una queja, llame al #1.800.554.0936 o al #505.827.1774; email: damian.segura@state.nm.us; o visite nuestras oficinas administrativas en 1596 Pacheco St., Santa Fe, NM 87505. Para obtener más información, visite www.dot.state.nm.us.

Si necesita información en otro idioma, por favor póngase en contacto el NCRTD al #505.629.4713.

Attachment A

Title VI Notice to the Public

Short Notice- English

The North Central Regional Transit District operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the 1964 Civil Rights Act. To find out more about nondiscrimination obligations, to file a complaint, or to request this information in another language please contact us at: North Central Regional Transit District, Executive Director, 1327 North Riverside Dr. Española, NM 87532 or at #505.629.4713.

Alternatively, you can also contact the New Mexico Department of Transportation (NMDOT). NMDOT operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the 1964 Civil Rights Act. To find out more about our nondiscrimination obligations, to file a complaint, or to request this information in another language, please contact us at NMDOT Title VI Coordinator, PO Box 1149, Santa Fe, NM 87504-1149; or call #1.800.554.0936 or #505.827.1774.

Short Notice- Spanish

El North Central Regional Transit District ofrece programas y servicios, sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Para obtener más información sobre el programa de derechos civiles del North Central Regional Transit District o para obtener más información sobre los procedimientos para presentar una queja, escribe al North Central Regional Transit District, Director Ejectivo, 1327 North Riverside Dr. Española, NM 87532, o llame al #505.629.4713.

Si desea usar otra alternative para la solución, usted puede contactar El Departamento de Transporte del estado de Nuevo México (NMDOT). NMDOT ofrece programas y servicios, sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Para obtener más información sobre el programa de derechos civiles del Departamento de Transporte de Nuevo México o para obtener más información sobre los procedimientos para presentar una queja, escribe al NMDOT Title VI Coordinator, PO Box 1149, Santa Fe, NM; o llame al #1.800.554.0936 o al #505.827.1774.

Attachment B

Title VI Complaint Form and Instructions

Title VI Complaint Procedures

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any NMDOT service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency has the right to file a complaint.

Title VI Complaint Reporting

An individual, group of individuals or entity may file a formal Title VI complaint with NMDOT. Complaints shall be submitted to the NMDOT Title VI Coordinator (at the OEOP) in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Attn: Title VI Coordinator
Office of Equal Opportunity Programs
1596 Pacheco Street
Suite 107
Santa Fe, NM 87505

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180 day period of the alleged discriminatory act (or latest occurrence).

The Title VI Coordinator will be responsible for notifying the respondent(s) of the complaint within five working days of receipt. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official. The Title VI Coordinator's name and telephone number shall be included. Additionally the Title VI Coordinator will forward a copy of the complaint to the NMDOT Office of General Counsel for review.

Attachment B

Title VI Complaint Form and Instructions

Title VI Complaint Investigations

An investigation by the Title VI Coordinator or an otherwise qualified investigator will be initiated within 15 working days of receipt of the complaint.

The complainant should submit any documentation he/she perceives as relevant to proving his/her complaint.

The respondent will be given the opportunity to respond to all aspects of the complainant's allegations.

The Title VI Coordinator or qualified investigator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

Once the investigation is completed, a final report will be provided to the respondent, the complainant and the appropriate USDOT agency. The final report will include the following:

- The written complaint containing the allegations, basis, and date of filing;
- Summarized statements taken from witnesses;
- Findings of fact;
- Conclusions (based on all evidence in the record) that the complaint is substantiated or unsubstantiated;
- Action(s) the respondent must take to correct deficiencies and to ensure Title VI compliance (if applicable);
- If corrective action(s) is required the respondent will be given thirty (30) calendar days to inform the Title VI Officer of the actions taken for compliance;
- The respondent may implement corrective actions after the initial thirty (30) calendar days with projected time period(s) in which those actions are scheduled to be completed. All corrective actions must be implemented within sixty (60) calendar days;
- If the corrective action(s) have not been completed within the initial thirty (30) day time period allowed, the respondent will be found to be in noncompliance with Title VI and implementing rules and regulations, and a referral will be made to NMDOT for further action in regards to noncompliance.

The complainant and respondent shall be notified of all appeal rights pursuant to 49 CFR 21.

Title VI Complaints Log

The NMDOT Title VI Coordinator shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.

New Mexico Department of Transportation
Title VI Complaint Form

Section I	
Name:	
Address:	
Telephone (Home/Cell):	Telephone (Work):
Email Address:	
Section II	
Are you filing this complaint on your own behalf: Yes ☐ No ☐	
*If you answered "yes" to this question, go to Section III.	
If you answered "no" please enter the name and relationship of the person you are filing the complaint against:	Name: Relationship:
If you are filing a complaint as a third party, please explain why in the space below:	
Have you have obtained permission of the aggrieved party if you are filing on behalf of a third party: Yes ☐ No ☐	
Section III	
I believe the discrimination I experienced was based on (check all that apply): ☐ Race ☐ Color ☐ National Origin	
Date of Alleged Discrimination (Month, Day, Year):	Date:
Explain, as clearly as possible, that happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as the names and contact information of any witnesses. If more space is needed please attach	

additional sheets to this form:

Section IV

Have you previously filed a Title VI complaint with the New Mexico Department of Transportation (NMDOT)? Yes ☐ No ☐

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes ☐ No ☐

If yes, please check and name all that apply:

☐ Federal Agency:_____

☐ Federal Court: _____

☐ State Agency:_____

☐ State Court:_____

☐ Local Agency:_____
Please provide information about a contact person at the agency/court where the complaint was filed. Name: _____ Title:_____ Agency:_____ Address:_____ Telephone:_____
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:
Signature: _____ Date:_____

Attachment B

Title VI Complaint Form and Instructions

Please submit this form in person at the address below, or mail form to:

Damian Segura, NMDOT Title VI Coordinator
1596 Pacheco St. Suite 107
Santa Fe, NM 87505

OR

Anthony J. Mortillaro,
Executive Director

North Central Regional Transit District

1327 N. Riverside Drive

Espanola, NM 87532

Attachment B

Title VI Complaint Form and Instructions

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Actions(s) Taken
Investigations				
1.				
2.				
3.				
4.				
Lawsuits				
1.				
2.				
3.				
4.				
Complaints				
1.				
2.				
3.				
4.				

Attachment C
Staff Survey Form

STAFF LEP SURVEY

The NCRTD is studying the language assistance needs of its riders so that we can better communicate with them and increase ridership. Please complete the following survey and return it to X by X.

How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them? (Circle one)

Daily Weekly Monthly Less frequently than monthly

What languages do these passengers speak? Please list.

What foreign languages other do you understand or speak?

Would you be willing to serve as a translator when needed?